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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: EX910**

**WHEREAS** a question has arisen as to whether the provision of an underground electricity cable, grid connections, and associated works from the Ballynahulla 220 kV sub-station to Gneeves 38 kV sub-station (Gneeves Wind Farm in County Cork), along the Local Tureencahill to Rathmore Road (L7057), joining the R582, and along the Regional Road to a point crossing the Awnaskirtaun River into County Cork (a tributary of the Blackwater River) in the townland of Shinnagh, at Ballynahulla 220 kV sub-station to Rathmore along the L7057 and Rathmore to the bridge crossing of the Awnaskirtaun River along the R582, County Kerry is or is not development or is or is not exempted development:

**AND WHEREAS** Patrick Cremins care of The Planning Partnership of The Coach House, Dundanion, Blackrock Road, Cork requested a declaration on the question from Kerry County Council and no declaration issued by the planning authority:

**AND WHEREAS** the question was referred to An Bord Pleanála by Kerry County Council on the 27<sup>th</sup> day of April, 2021:

**NOW THEREFORE** An Bord Pleanála decided to **DISMISS** the said referral under subsection (1) (b) of section 138 of the Planning and Development Act, 2000, based on the reasons and considerations set out below.

## **Reasons and Considerations**

Having regard to the question referred to the Board by the planning authority which included information provided by the person who made the request for a declaration to the planning authority, to the submissions received and the Inspectors reports, and noting the response provided to the planning authority by the stated owner and operator of the Gneeves windfarm (Brookfield Renewable Ireland Limited), it is considered that the nature of the referred question dealing with a part of infrastructure that appears to have been delivered, but to which no specific information or evidence has been provided, is such that the extent and purpose of the case in question has not been adequately described by the person who made the request for the declaration to the planning authority which formed part of the submission forwarded by the planning authority to the Board. The Board therefore has not been able to adequately evaluate the question. In light of such circumstances and having regard to the nature of the referral, the Board is satisfied that the question should not be further considered by it and decided to dismiss this referral under Section 138(1)(b) of the Planning and Development Act 2000, as amended.

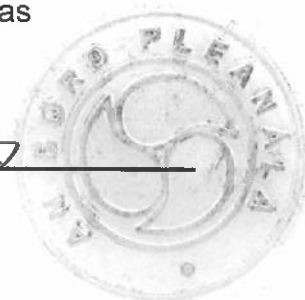
*Patricia Calleary*

**Patricia Calleary**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**



**Dated this 05 day of October 2022.**